## COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## SILICON OXYNITRIDE PASSIVATED RARE EARTH ACTIVATED

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|--|---|--|--|----------------------------|
|  |   | ch is attached hereton was filed on        | o.<br>as U.S. Serial No                                | <del></del> -              |
|  |   | ved and understand t<br>ed by any amendmer | he contents of the above-ider<br>nt referred to above. | ntified specification,     |
| •  | the duty to disclosure with 37 CFR §1.5 |  | n is material to the examination                       | on of this application     |
| I hereby claim foreign priority benefits under 35 U.S.C. §119 (a)-(d) or (f) or 365(b) of any foreign application(s) for patent or inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below, and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed: |   |  |  |                            |
| COUNTRY  | APPLICATION NUMBER                      | DATE OF FILING (day, month, year)          | PRIORITY NOT CLAIMED                                   | CERTIFIED COPY<br>ATTACHED |
|  | L                                       |  |  | • Yes • No                 |

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or 365(c) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 CFR §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| U.S. PARENT APPLICATION<br>OR PCT PARENT NUMBER | PARENT FILING DATE<br>(day, month, year) | STATUS<br>(patent and number,<br>pending, abandoned) |
|---|--|--|
|   |  |  |

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

| APPLICATION NUMBER(S) | FILING DATE (day, month, year) |
|-----------------------|--------------------------------|
| 60/409,991            | 12 September 2002              |
|                       |                                |

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POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys and/or agents jointly, and each of them severally, my attorneys or agents, with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent and to transact all business in the Patent and Trademark Office connected therewith.

| Mark E. Bandy                        | Reg. No. 35,788                    | Alan C. Brandt                     | Reg.No. 50,218                     | John P. Comely       | Reg. No. 41,687 |
|--------------------------------------|------------------------------------|------------------------------------|------------------------------------|----------------------|-----------------|
| Kent E. Daniels                      | Reg. No. 19,598                    | Joseph D. Dreher                   | Reg. No. 37,123                    | Matthew P. Dugan     | Reg. No. 44,663 |
| Christopher B. Fagan                 | Reg. No. 22,987                    | Patrick D. Floyd                   | Reg. No. 39,671                    | Jude A. Fry          | Reg. No. 38,340 |
| Marcia T. Greci                      | Reg. No. 54,717                    | Steven M. Haas                     | Reg. No. 37,841                    | Michael E. Hudzinski | Reg. No. 34,185 |
| Richard M. Klein                     | Reg. No. 33,000                    | T. E. Kocovsky, Jr.                | Reg. No. 28,383                    | Sandra M. Koenig     | Reg. No. 33,722 |
| Scott A. McCollister                 | Reg. No. 33,961                    | James W. McKee                     | Reg. No. 26,482                    | Richard J. Minnich   | Reg. No. 24,175 |
| Jay F. Moldovanyi                    | Reg. No. 29,678                    | Philip J.Moy                       | Reg. No. 31,280                    | Timothy E. Nauman    | Reg. No. 32,283 |
| Erik J. Overberger                   | Reg. No. 48,556                    | Sue E. Phillips                    | Reg. No. 32,046                    | Patrick R. Roche     | Reg. No. 29,580 |
| James E. Scarbrough                  | Reg. No. 47,056                    | Robert M. Sieg                     | Reg. No. 54,446                    | Ann M. Skerry        | Reg. No. 45,655 |
| Mark S. Svat                         | Reg. No. 34,261                    | Brian E. Turung                    | Reg. No. 35,394                    | Gregory S. Vickers   | Reg. No. 45,180 |
| Robert V. Vickers<br>Thomas E. Young | Reg. No. 19,504<br>Reg. No. 28,924 | Joseph E. Waters<br>John S. Zanghi | Reg. No. 50,427<br>Reg. No. 48,843 | Jonathan A. Withrow  | Reg. No. 54,548 |

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James W. McKee (216) 861-5582

I hereby authorize and request my attorney to insert the application number and filing date, when known, into the assignment for this invention executed by me.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, statements were made with the knowledge that willfully false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that all such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| Full name of sole or fi | rst joint inventor: | Alexander Kosyachkov                                       |
|-------------------------|---------------------|--|
| Inventor's signature:   |                     | Date:  |
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